



2016

**Tucson-Pima County Historical Commission**  
Plans Review Subcommittee

**LEGAL ACTION REPORT**

**Thursday, August 18, 2016**  
**3<sup>rd</sup> Floor North Conference Room, Public Works Building,**  
**201 N. Stone, Tucson, Arizona 85701**

**1. Call to Order / Roll Call**

Meeting called to order by Chair Majewski at 12:01PM, and a quorum was established.

Commissioners Present: Terry Majewski (Chair), Jim Sauer, Helen Erickson, Arthur Stables, Michael Becherer and Sharon Chadwick.

Staff: Michael Taku, Jonathan Mabry, Dan Bursuck (PDSD) Alison Miller, (Ward 6)

**2. Approval of Legal Action Report and Summary of Minutes from meeting of 7-28-16**

Motion by Commissioner Stables, duly seconded by Commissioner Erickson, to approve the Legal Action Report and Summary of Minutes from meeting of 7-28-16.

Motion passed unanimously. Voice Vote 6-0

**3. Historic Preservation Zone Review Cases**

*UDC Section 5.8/TSM 9-02.0.0/Historic District Design Guidelines/Secretary of the Interior's Standards and Guidelines*

- a. HPZ-16-44- Weinstein-New Construction: Single-Family Residence**  
[Revised Plans]-1040 North Arizona Avenue- (West University Historic Preservation Zone) [Continued Case]

Staff Taku summarized the stages of the application and read into the record the LAR of WUHZAB from the meeting of 8/16/16 with a recommendation for approval with a condition.

Project designer, Jeff Stewart, Steadfast Drafting & Design, LLC, and property owner, David Weinstein presented the proposed project re-design based on WUHZAB review comments. Discussion centered on the issue of 2<sup>nd</sup> Story roof design compatibility within the development zone. The suburban roof design appears not compatible with contributing properties in the development zone. Most 2<sup>nd</sup> floors are defined by dormers over windows. Compatibility can be achieved by dormers and different roof pitch. Action was taken.

It was moved by Commissioner Sauer, duly seconded by Commissioner Stables, to recommend that the case be continued to allow the applicant to make changes to the proposal (a) to address concerns about compatibility with contributing buildings in the development zone as discussed, in particular on the street façade (west elevation) to bring the roofline down, possibly by adding three (3) dormers facing the street, along with any other associated changes; and (b) to address WUHZAB recommendation that the stone to be used at base of columns shall be the basalt rock that is prevalent throughout the neighborhood.

Motion carried unanimously. Voice Vote 6-0.

**b. HPZ-16-65- Frog & Firkin -Rear Addition/Restaurant-874 East University Boulevard-(West University Historic Preservation Zone/Main Gate District)**

Staff Taku summarized the understanding on the sequencing of the design reviews to include a required Main Gate District (MGD) review and a return to PRS if any significant changes are proposed from MGD review. Staff read into the record the LAR of WUHZAB from the meeting of 8/16/16 with a recommendation for approval with conditions.

Subcommittee was provided with a copy of the comment from SHPO which state that the proposed additions and alterations will meet the Secretary of the Interior's Standards for Rehabilitation, provided the new addition, is *"undertaken in such a manner that, if removed in future, the essential form and integrity of historic property would be unimpaired"* and (2) The proposed additions should result in *No Adverse Effect* of the property's historic status.

Project architect, Chuck Meyer, C M Architect, LLC presented the design proposal for an addition of a restaurant to the rear of the building with underneath parking and stairs. Discussion was held. Action was taken.

It was moved by Commissioner Sauer, duly seconded by Commissioner Erickson, to recommend approval of the project as presented subject to (a) existing cooler to be screened from public view, and (b) the recommendations from WUHZAB as follows: (1) preserve the horizontality of metal siding shown on elevations to minimize scale of new structure and vertical joints/framing to be eliminated; (2) [in regard to the roof-mounted mechanical system] provide a less visually obtrusive option such as a collapsible mechanical platform with railing as discussed; (3) preserve the continuous and horizontal glass railing design as shown on elevations and eliminate vertical supports; (4) provide more of a separation in material between old and new construction on the west elevation; and (5) provide a roof overhang on the north elevation to better match the overhangs on west, south and east elevations.

Motion carried unanimously. Voice Vote 6-0.

#### **4. Unified Development Code Text Amendment Review Cases**

*UDC Section 3.7 for comments from Tucson-Pima County Historical Commission, Plans Review Subcommittee.*

**HPZ-16-55-** Historic Preservation Zone: UDC Text Amendment to the Technical Standard Manual -Window Alternative Materials (Citywide)

Staff Mabry and Dan Bursuck (PDSD) presented rationale for the amendment. Staff noted that the benefit of the amendment will be to enable each local Historic Advisory Boards to consider alternative windows if they choose to revise their Design Guidelines to allow alternative materials on a case by case basis. Staff also stated that SHPOs nationwide have been allowing metal clad windows on HUD funded projects. The rationale being that matching appearance is more important than materials and provides for more energy efficiency and less maintenance. Discussion was held and clarifications provided. Action was taken

It was moved by Commissioner Stables, duly seconded by Commissioner Sauer, to recommend to the Planning Commission approval of the revisions to text amendment to the TSM on window materials as presented.

Motion carried unanimously. Voice Vote 6-0.

Staff outlined the next steps for the text amendment as: City Development Review Committee (CDRC); PDSD Director recommendation to City Manager; and a decision to approve, deny, or remand by the City Manager.

## **HL16-03- Historic Landmark Designation: UDC Text Amendment (Citywide)**

Staff Mabry, and Dan Bursuck (PDSD) presented rationale for the amendment. Staff noted that the designation has both administrative and legislative processes. The administrative aspect is a review of technical and submittal requirement for nomination. The legislative is a rezoning under State statute, and must follow the same process as for all rezonings, including public notifications and public hearings by the Zoning Examiner and Mayor & Council. The proposed text amendment will be to streamline the administrative process only. The major change is to allow the Plans Review Subcommittee to recommend initiation to the PDSD Director. Discussion was held and clarifications provided. Minor edits to the text were suggested. Action was taken.

It was moved by Commissioner Becherer, duly seconded by Commissioner Stables, to recommend to the Planning Commission approval of the proposed text amendment to streamline the Historic Landmark Designation process as presented with added suggested minor edits.

Motion carried unanimously. Voice Vote 6-0.

Staff outlined the next steps for the UDC text amendment as: Planning Commission and Mayor & Council public hearings.

### **5. Current Issues for Information/Discussion**

#### **a. Minor Reviews**

Staff conducted an on-site review in Rio Nuevo Area for a wall sign application.

#### **b. Appeals**

Staff informed Subcommittee that the Barrio Historico Historic Zone Advisory Board (BHHZAB) Appeal of PDSD approval of Case HPZ-16-39 was not moving forward because the appeal fee was not paid at the time of filing the appeal. A representative of the BHHZAB requested that the fee be waived, but only the Mayor & Council has authority to waive the appeal fee.

**c. Zoning Violations**

Staff informed the Subcommittee that case HPZ-16-56, 600 East Speedway Boulevard, pending zoning violation will be returning for clarifications and change of conditions. Also, Subcommittee was updated by staff on the current status of Pueblo Vida Brewery violation and stop-work order, which are still open

**d. Review Process for Approval of Complex Large-Scale and/or Multi-Phase Projects**

WUHZAB appointed a representative to work closely with rezoning staff on the Trinity Church Boundary Amendment and PAD (h) process.

**6. Call to the Audience (For Information Only)**

No one to speak.

**7. Future Agenda Items**

Continued cases from West University Historic Preservation Zone for review; clarification/change of condition(s) and storefront modification in Rio Nuevo Area.

**8. Adjournment**

1: 56 PM.